

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -	X	
	:	
UNITED STATES OF AMERICA	:	
	:	STIPULATED
- v. -	:	<u>PROTECTIVE ORDER</u>
	:	
DAVIDS APSITIS,	:	S29 16 Cr. 692 (JMF)
	:	
Defendant.	:	
	:	
- - - - -	X	

JESSE M. FURMAN, District Judge:

WHEREAS, the United States of America seeks to provide in unredacted form certain documents (the "Protected Materials") pursuant to Rule 16 of the Federal Rules of Criminal Procedure ("Rule 16"); and

WHEREAS, the Protected Materials that the Government seeks to provide contain sensitive information, including identification information, related to specific individuals; and

WHEREAS, the Government is willing, under the conditions set forth below, to produce the Protected Materials; and

WHEREAS the Protected Materials, if disseminated to third parties or outside the United States, could, among other things, implicate the personal information and safety of others and impede ongoing investigations; and

WHEREAS, in the interest of expediting the discovery

process, the Defendant, by his undersigned attorney, consents to the entry of this protective order; and for good cause shown;

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. The Protected Materials shall be used by the Defendant, his counsel, and his counsel's agents only for purposes of defending the charges, in connection with sentencing, and pursuing any appeals, in this criminal action. To the extent the Protected Materials are shown to additional persons consistent with the terms set forth below, those additional persons may only use the Protected Materials in connection with this criminal action.

2. The Government will mark all items subject to this protective order in a manner indicating their protected status.

3. The Protected Materials and the information and identities contained or disclosed therein:

(a) Shall be used by the Defendant and his counsel only for purposes of this action;

(b) Shall not be transmitted, disseminated, or possessed outside the territorial United States;

(c) Shall not be disclosed in any form by the Defendant or his counsel except as set forth in paragraph 3(d) below;

(d) May be disclosed only by the Defendant's counsel and only to the following persons (hereinafter "Designated Persons"):

- (i) investigative, secretarial, clerical, paralegal and student personnel employed full-time or part-time by the defendant's attorney;
- (ii) independent expert witnesses, investigators or advisors retained by the defendant in connection with this action; or
- (iii) upon a motion by the defendant pursuant to paragraph 5 below, to show (but not provide copies of) Protected Materials to such other persons as hereafter may be authorized by the Court; and

(e) Shall be returned to the Government or destroyed following the conclusion of this case.

4. The Defendant and his counsel shall provide a copy of this protective order to Designated Persons to whom the Protected Materials are disclosed pursuant to paragraph 3(d) (i), (ii) and (iii). Designated Persons shall be subject to the terms of this protective order.

5. Defense counsel may, on notice to the Government, seek authorization of the Court to show (but not provide copies of) certain specified discovery materials to persons whose access to discovery materials is otherwise prohibited by the preceding paragraphs, if it is determined by the Court that such access is necessary for the purpose of preparing the defense of the case.

6. The provisions of this order shall not be construed as preventing the disclosure of any information in any motion, hearing, trial, sentencing, or appeal proceeding held in this action or to any judge or magistrate of this Court for purposes of this action.

AGREED AND CONSENTED TO:

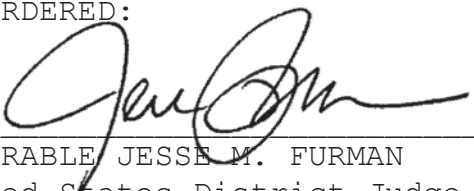
**Michael
Sporn**

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DN: cn=Michael Sporn, o, ou,
email=mhsporn@gmail.com, c=US
Date: 2022.07.08 12:13:01 -04'00'

Michael H. Sporn, Esq.
Attorney for Defendant
DAVIDS APSITIS

Date

SO ORDERED:



HONORABLE JESSE M. FURMAN
United States District Judge
Southern District of New York

July 8, 2022

Date